Previous references.

File No 164-09

1914

(album 1)

Serial Nos. 1—13

Later references

ml 102-10-1
ml 166-10 (1-5)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1— 13

Part B for Sept^{r}, 1910

SUBJECT.

Complaint of the timber merchants of the Bangalore city regarding the old timber yard in the city

Telegram from the timber merchants of the Bangalore city dt 9.3.10 states that the Vice President, Bangalore City, wounded their feeling by attributing to them motives of dishonesty & roguery

2. Petition dt 4.3.10 from M Subba Rao & other timber merchants of the Bangalore city: protests against the action of the City Mpty in granting the old timber yard of the city to one Abdul Karim Sait.

3 Petition dt 4.3.10 from the above to the Dewan.

4 To the Presidt, Bangalore city Mpl Council, no 7937 dt 12.3.10. G.R.S. 58 calls for a report on the above and requests that the order granting the land to Abdul Karim Sait be held in abeyance.

5 Petition from Abdul Kareem Rajee Peersab Sait. dt 14.3.10.

[illegible] 1909-10

GENERAL AND REVENUE SECRETARIAT

(Municipal)

NOTES

File No 164-09

FILE HEADING

Complaint of the Timber merchants of the Bangalore City regarding the Old Timber Yard in the City

Telegram from the Timber Merchants of the Bangalore City

No	Dated	Received

[illegible] No 627	Enclos	Spare Copies	Serial No

BRIEF ABSTRACT OF LETTER

NOTES AND ORDE

rst sheet

GPB—30,000 - 3 4 07

G R S. 12]
General and Revenue Secretariat.

M File No. 162 of 1909

Serial No.	
	Dewan's order on the reverse of the telegram ~~2 To 1st councillor for th compliance and~~ for disposal (Initd) T A R 4/3/10.
	1st Councillor's order 2 Please send copy of telegram and call for a report from the President Municipal Council (Initd) K P P 5/3/10
	Secretary's order 3 B V W (Initd) C S B 5/3/10
	4 Draft sent
	AP 7/3/10 5th Please include in this file the petition of the timber merchants received to-day from the 1st Ce and remit 7 3 10 (Initd)
2	Petition dated 4.3.1910 from M. Subbaiah and other timber merchants of the Bangalore city. 6 Protest against the action of the City Municipality in granting the old timber-yard of the city town about to saw pits and pray that order of the Municipal Pres[t] may be set aside and the timber-yard may be granted as a whole to or any one of them

OTE—Contin. sheet.

GPB—55,AU—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

621 (3)

File No. 164 of 1909

Serial No.	
	1st Councillor's order on the petition. Hand on my Table. Please call for an early report from the President. Sd/ K. P. P. 7-3-10. 8 Br IV Sd/ C.S.B. 7/3/10.
3	Petition 24-3-10 from Mr. Subbaraya and other Timber merchants of the Bangalore City praying against the grant of the old Timber yard to one Abdul Karim East of the City M. Station. To Dewan's order on the petition :— To 1st Councillor with compliments. Report may be called for and perhaps the grant ordered to be held in abeyance Sd/ T. A. R. 6/3/10.
	U Branch IV Sd/ K. P. P.
12	Draft in accordance with the Dewan's order is submitted. Sd/ 12/3/10.
	Strong 13 Issue at once 12 3-10
4.	To The President, Bangalore City Municipal Council. No 793 B 12-3-10. U calls for a report on the above application.

RPG—10,000—27-4-09

F R S. 12]
General and Revenue Secretariat.

Inl File No. 164 of 1909. 1127 6351 .14

Serial No.

that the order granting the land to Abdul Karim Sait be held in abeyance.

5 From Abdul Karim Jeenabhai Sait, Proprietor, Ahmed & Co., The Cash Bazaar, Bangalore. Petition dated 12th March 1910

15 States that a couple of months ago he applied for and obtained for that a plot of vacant ground for opening a Timber Depot, that after he started business the other timber merchants of the town also applied for the said ground, that now he learns that the Municipality are going to plot the whole of the vacant grounds including the portion given to petitioner and sell them up by auction; and prays that orders may be issued to the Pres.t to leave the plot in the petitioner's possession undisturbed.

16 Secretary's order on the petition.

"Early"

D/o. C.S.B. 14/3/10.

17 The granting of the land to the petitioner Abdul Karim Sait has been ordered to be held in abeyance. vide S. No. 4.

18 Submitted for orders

Abeyance 19 This may also be for- 15/3/10. warded to the President in contemnation and a report called for

18 Cr. 15 3 10 Jewd

19 - approved - P 20

1414 Correct sheet. 16 3 10

BPG—51,000—27-1-09

(5

[R S. 12]
General and Revenue Secretariat.

Jud File No. 164 of 1909-10

Serial No.

and the Sale of the Plot of ground by auction may also be held in abeyance.

Mr A
16/3/10

20 Please put up draft at once 16.3.10 JWW

21 Draft put up.
Clerk 22 Issue
16/3 16.3.10 JWW

6 To the President, Bangalore City Munsiff Council
No 8150 & 17.3.10
23 Forwards Sl 5 for an early report in the matter and requests him to hold in abeyance the auction of the plot of ground referred to by the petitioner.

7 From S. Kandaramaiah, Timber Merchant, Chamrajapet, Bangalore. Petition & 17.3.10 in which States that he was the first person to import timber after the payment of octroi duty, that though his application for a portion of the old Timber Yard was refused yet the land has been granted to a later applicant and prays that the other portion of the said Timber Yard may be granted to him on the same conditions and

ors—Contn. sheet.

BPG—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat

Ind File No. 164 of 1909

57436

Serial No.	
	privileges on which it has been given to the other applicant.
	25 Dewan's order on the petition "To 1st Councillor with compliments" Endf. I. A.R. 17/3.
	26 "Please call for a report" Endf. R.P.P. 20/3.
	27 Submitted with draft. 28 Issue 30/3/10 2-4-10 Issued
	8. To the Pres[t], Bangalore city Municipal Council. No. 8869 5-4-1910
	29 Forwarded Sr No 7 for a report.
9	Petition from S. Subba Rao and others, Bangalore city 30 Request that the Dewan may be pleased to take official notice of the demeanour of the Vice President Mr. Nadoj Subba Rao in having hurt their feelings by calling them "rogues"
	31 Dewan's order on the petition:— "To 1st Councillor with compliments" Endf. I. A.R. 9.4.10
	32 To the President, Bangalore City Municipal Council, for early report." Endf. R. P.P. 19.4.1910.

Note—Contn. sheet

GPB—No. 100—27-4-09

G R. S. 12]
General and Revenue Secretariat

(7

File No. 164 of 1909

Serial No	
33	Submitted with draft. Copy sd 23/1/10. 34 Issue 23-4 10
10	To the President, Bangalore City Municipal Council. No 9652 S 23-4 1910. 35 Forwards Sl. No 9 for a report.
11.	From the President, Bangalore City Municipal Council. No 2108 S2 S. 1910 36 Submits the report called for in Sl. No 4, 6 and 9 37 The Timber merchants of the Bangalore City complain (1) that the lands on which they have been storing timber being unsuited to the purpose, some of them have, for a long time, been applying for a piece of vacant municipal land called the "old Timber Yard"; (2) that in preference to them the old Timber yard has now been given to a new comer one Haji Abdul Karim Sait of the City, Mr Shebsin who has just commenced trading in timber; (3) that this action of the Municipality has put them in an unfair and disadvantageous position; and (4) that while representing their grievances before the Municipal Council the Vice-President Mr. N Subbarao treated them badly and hurt their feelings by calling them "rogues". They pray that the grant of the old Timber yard to Abdul Karim Sait the

NOTE—Contin. sheet

GPD—10,000—27-4-10

Serial No.

be cancelled and that it may be granted to any one or all the petitioners collectively and that official notice may be taken of demeanour of Mr. Subbarao for having hurt their feelings by calling them "rogues"

3) The President in submitting a report on the above complaint states that the complaint that the present yard is intended for storing timber is false, in as much as the said yard is just opposite to the old yard and is readily accessible for heavily loaded timber carts and that it was the merchants themselves who selected the yard for reasons of their own. He also states that 2 of the petitioners viz. Mr. Subbarao & V. Krishnaiah had on previous occasions applied for the old yard One of them viz. Mr. Subbarao was told that there was sufficient space in the present yard and that he might select any block he liked. The other V. Krishnaiah was informed that the land could not be given as it was intended for traffic. The latter's appeal in this respect is reported to be pending before the President

4) Two more of the petitioners viz. Rahmath and Yasin &Co. are also reported to have applied for the old yard, the former on the very day on which Abdul Karim had applied for it and the latter some time after it. The Dy. Collr. also states that none of the petitioners appeared before the Inquiry Committee stated in their petition

Note—Contin sheet.

GPS—34,000—27-4-10

Serial No.

3. The President also states that the complaint of the timber merchants is due to the bad feeling existing between them and Abdul Karim Sait, in as much as the latter readily agreed to comply with the rules and regulations in the matter of furnishing security and accounts while the former did not keep up their agreement and had evaded to give accounts in cubic feet as required by the municipal authorities. It is not clear from the report what action the Municipal authorities took to enforce the conditions of the agreement made by the petitioners in 1903 when under Rule 20 of the Petroi Bye-laws they were allowed to stack timber in the present yard and why if the petitioners were not amenable to rules they were not proceeded with for breach of the conditions of their rules and agreement.

4. In this connection attention is invited to the orders of Govt on the complaint of the timber merchants in 1903. It will be seen from G. O. No. 51-02 that the President allowed to the petitioners the concession of paying octroi duty on the quantity actually sold by them and rent for storing timber on municipal land at 8 as per acre on the petitioners executing bonds holding themselves responsible for regular payment of duty and rendering accounts of all

Note—Contd sheet

Serial No.

timber received and issued by them in the prescribed form. The timber merchants are now reported to have failed to act up to the conditions of their agreement.

41 As regards the grant of the old yard to Abdul Karim Sait, it is reported that only ½ of it has been given to him temporarily pending the disposal of his application as the applicant had been put to difficulty in respect of the stamping of timber on which he had to pay heavy demurrage and which he had no place to store in

42 The President also states that the City Impt. Committee, who inspected the old yard on 12-3-1910 have decided that the plot might, for the present, be used as a timber yard and that it should be divided into 6 blocks and leased out by public auction every year. The disposal of the land as recommended above is reported to have been held in abeyance as per directions contained in this office Memorandum No. 8150/Rel 166-09 dy 17-3-1910

43 As regards the grant of the land to Abdul Karim Sait the conditions of the grant have not been stated. clear that the President can make such a grant on his own authority Section of the Municipal Regn vests this power in the

Serial No.

Municipal Council. As the Managing Committee has not been appointed and as the City Impt. Committee have no executive authority to act under Sub-section (5) of Section 46, it is only the Municipal Council that has power to make grants of leases of land permanent or temporary.

4 & 5. As regards the petitioners complaint that the Vice-President called them "rogues" the President submits a memo written by the Vice-Pres^{t} wherein the latter denies having attributed any motives of dishonesty or roguery to the petitioners. Seales states that none of the timber merchants were present at the meeting in deputation and that only one of them, Vr. Krishniah stood in the verandah outside the council chamber. On the petition itself, Sl. 9, the Vice-President has noted in pencil that V. Krishniah was in the Manager's room and that another, Mr. Subbarao was in the Collector's office.

8 & 9

15 The petitioners, Kristnaiah Doreaik and Subbarao have served a notice on the Vice-Pres^{t} stating that they would take action - civil & criminal against him in case he did not deny having made the alleged defamatory statements or offer an unqualified apology. The Vice-President states that he has given no reply as the form of the notice is undesirable. It

G.P.S.—14,000—27-4-10

Serial No.

is not known what further action has been taken in the matter.

We Abdul Karim Haji Joosab Sait have also presented a petition stating that the grant of the yard to the other timber merchants and its sale by auction would cause much inconvenience to him, as the other merchants are sure to outbid him in the auction; and that if he is dispossessed of the land he will have no place to remove his timber to, and that the Municipality would not be right in first allowing him to stock timber on the land and then sell it by auction thus subjecting him to inconvenience. They pray that orders may be passed directing the Municipality to leave petr in possession of one acre of the yard and to sell the remaining portion by auction.

4) The questions for consideration are:—

(1) Whether the permission granted to Abdul Karim Sait to store his timber on the old yard is justifiable or not;

(2) whether the land may be granted to the city timber merchants or to Abdul Karim Sait in the manner prayed for by them;

~~(3) whether it should be sold in auction;~~

(3) Whether the timber merchants have transgressed rules and agreements and

Note.—Contn. sheet.

Serial No

have thereby rendered themselves unworthy of the concession shown to them in 1903 and if so why the concession should not be cancelled and Bye-law Nr 7 (of the Betrai Rules) enforced against them; and

(4) whether it is necessary to take any action regarding the defamatory language alleged to have been used by Mr N. Subba Rao

We Submitted for orders

Obn:- 1. Regarding the grant 23/5/10 of permission to Jeesub Saib to stock his timber on what is known as the old timber yard, the President does not seem to have in any way exceeded his authority. The grant is only temporary and so long as the lease does not exceed one year, it is well within his power to grant it (Vide sec 40 of the Ml Regns)

50 The extent of land given on which Jeesub Saib has been permitted to stock his tim

Next—Contn sheet

Serial No

is said to be only a fourth of the total extent. There is thus however remaining three-fourths of the plot which may be leased to others. The proposal of the President to ~~redemption~~ auction lease out by public auction the six blocks into which the plot will be divided may result in ruinous competition on account of the strained feelings between Jasub Lash and and the other timber merchants of the city and in the circumstances, it seems desirable to fix a rent ~~for~~ for each of the blocks and lease them out to the merchants in the order ~~were~~ of the dates on which their applications have been received. It is however a question whether the stocking of timber there will not afford shelter to snakes and other reptiles and cause inconvenience to the adjacent

GPB—14,000—27 4.09

Serial No

Houses -

51. The question whether the existing system of levying octroi on timber requires any modification be referred to the Council and their resolution called for.

52. As regards the complaint against Mr Subba Rao, he distinctly denies having imputed any motives of dishonesty or roguery to the timber as alleged in the telegr and the same may, if necessary, be communicated to the petitioners -

53 Secy) 25 5 10 Mill

54 The petition appears to have been chiefly due to the desire on the part of the timber merchants to exclude a new & perhaps formidable rival in their trade. So far as the municipality is concerned it should afford facilities to all people who wish to enter the timber trade by giving sites for timber depots on reasonable rent The availab

GPB—56,000—27 4.09

Serial No

Sites for timber depots may be leased for reasonable rent from time to time Sale of the leases by auction maybe resorted to but it is not likely that in normal ~~conditions~~ circumstances there will be a demand for all the sites. From what the President states the present method of the levy of octroi on timber appears to be somewhat imperfect & give room for fraud Greater scrutiny & check appears to be necessary in regard to the quantity imported & sold. In the circs the advent into the trade of a merchant who is ready to abide by the rules is a great advantage & the municipal council will be consulting their interest by giving all reasonable encouragement to Hajee Abdul Karim Sait & the Cash Bazaar & breaking the unfair combination of the other merchants which is disadvantageous to the interests of the municipality

55 So far as the alleged defamatory remarks made by the Vice President are concerned Mr Subbadar denies

GPB—50,000—27 4.09

G.R.S. 12]
General and Revenue Secretariat

Jud File No 1611 of 1909

Serial No

having made such remarks or having had any intention to libel the men concerned his denial may be accepted -

~~To Govt~~

CSB
21/7/10

572 fully concur in the above views - The President did not exceed his powers in granting a temporary lease of the site for one year - Please put up draft for approval

KW
22/7/10

Secretary

59 Assistant Secy

Please put up draft

CSB
22/7/10

23/7

~~to Submitted with draft~~

~~22/7/10~~

60 Drafts of an order ~~and Gazette Notification~~ ~~are~~ submitted

61 It is however a point for Consideration whether the Govt can interfere in matters like these Only recently the ~~Government~~

sheet

Serial No.

agree in the conclusions - But wd suggest some verbal alterations

In slip marked A, of the 1st Convention is agreeable wd omit the last sentence in para 2 (viz "In the 1st ---- Residents" & substitute the following

"For one thing it should be borne in mind that the Timber stored with bath of to pay octroi duties only when logs are sold, is Timber kept under bond just as ordinary payable articles are kept in bond in port Godowns - In order to enforce this liability one essential condition is that the place where the timber is stored should be entirely under the control of the Municipal Council - The land should therefore be municipal property owned or held by the municipal Council - It is objectionable to allow timber to be stored on private property as it would be taken out duty payable articles be stored in bond in private shops or houses - A reasonable rent may be levied at so much per sq yard per month in blocks classified according to their convenience or accessibility from the public road - "

Offg 31 Aug 09

Mr 2/9/09

G. R. S. 12]
General and Revenue Secretariat

File No. 62 of 1909

POST 20

Serial No.	
	67 Submitted 1 Encs 2-9-10 Jeee.
7/10. 8-9-10.	68 Draft may be modified as per orders of the Dewan and issued KBR 7/9/10
	69 Please revise draft & let me see it before issue KBR 7/9/10 Jeee 9-9-10
	70 Revised draft submitted KBR Secy) 10 9 10 Jeee 9/9/10 71 Issue KBR Correct Jeee 12-9-10
	72 G. O. No. 2602 Dy No. 9 10 Observes that Govt. see no reason to interfere in the matter of the lease of the site to Mr Abdul Kareem Saib and with reference to the alleged defamatory remarks made by the Vice-Presdt states that Mr.

Note—Contn. sheet.

GPD—33,000—27-4-09

Serial No.

Subba Rao Garu having made such
statements as having had any intention
to libel the Mess Concerned and that
the Govt have no reason to doubt
his statement

B Endt No 2603 Dy 14-9-40
to the Timber merchants of the Tarapalem
Rly,

Informed Mess accordingly

D 6127 M1_162-09

Writ 164-67/42 D. 6218

1910.

No. 1450

Name of Petitioner, M. Subba Ro[illegible] & others

Village, Bangalore

Taluk, do

District, do

Date of Arn, 4th March

Date of Receipt, 5th do

Date of Disposal,

No of Enclosure,

ABSTRACT

Petitioners are ~~the~~ timber merchants of the Bangalore City — They complain that a site (the old timber yard) originally used for timber depôt and subsequently taken back by the Municipality for public purposes

Branch IV
Work
8/3/10
Issue
8/3

no since been
given to one Abdul
Rahman Sait of
the Circle of Milk
Station in Spite
of their protests
to grant the same
to them. Respectfully
that this action
of the Municipality
is unfair in as
much as petitioners
are the tenants
of the City Land
engaged in Toddy
trade & paying an
annual rent of
Rs 15000/- to Petro-
therefore pray that
the Grant be set
aside & that the
same be given to
the petitioners as a
whole or any of
them individually

BR
5/3/40

Found on my table
Please call for an early report from the President
7/3/10

To,

K. P. Puttanna Chetty, Esq,

1st Councillor, Mysore Government,

B A N G A L O R E.

The humble petition of the following members, the Timber Merchants of the Bangalore City:-

1. M. Subba Rao, 2. V. Krishnaiah, 3. S. Nethunda-Ramiah. 4. B. Venkataramma Chetty, 5. Yusuin & Co., 6. M. Venkata Rao Sindhya, 7. M. Narasinga Rao Sindhya, and 8. C. Munisappa.

The applicants most respectfully beg to submit:

1. That there is a piece of vacant land belonging to the City Municipality opposite to the Mysore Infantry Barracks, Cotton Petta Road, Bangalore City. This land was being used about 20 years ago for Timber Depots. But as it was required by the Municipality - for public purposes the Timber Merchants were forced to vacate it. Since then the Depots are being located both in private and other Municipal Lands situated in remote places.

2. That it was subsequently found out that the Municipal land allotted for the timber Depot did not suit the purpose, as it was to a certain extent far away from the native part of the City and could not afford easy

access

access to the heavily loaded timber carts. Further the owners of the private lands levied such exorbitant rents and imposed such stringent conditions that it was found difficult to adhere to. Therefore the Timber Merchants - applicants, Nos. 1, 2, 3, & 4 - applied repeatedly to the Municipality for the re-allotment of the old Timber yard. The Municipality flatly refused to lease out the land to them which fact will be borne-out by the endorsements issued by the Municipality from time to time. Applicant No.3, who opened the business newly about two months ago also applied for the said land so recent as 1910, - but this application also fared no better share.

9th January.

3. That such being the case to the surprise of the applicants, they were given to understand that the above said land had been applied for by one Abdul Currim Sait of Civil and Military Station, Bangalore, for a timber depot and that the Municipality showed inclination to grant it to him. Hence applicants - Nos. 1, 2, 3, & 5 removed their applications, but having received no reply, applicants 1, 2, & 3 hurried to the Municipal office on the 24th February 1910, where the Municipal Board was convening a Meeting to produce for the information of the Board, copies of endorsements issued from the City Municipality during the previous years, refusing to lease out the site to them.

4. That inspite of the above facts, it is surprising to see that the new applicant of the Civil and Military Station, Bangalore, is permitted to cut his timber in the above said land to the utter disappointment of the applicants. The petitioners beg

submit

submit that this action of the Municipal authorities is quite unfair inasmuch as they are all residents of the Bangalore City, and have long been engaged in timber trade here and almost entirely depend upon it and the places now used as timber yards are miry and quite unhealthy and spoils much of the timber as huge columns of water run over the place during the rains and more than once certain logs were washed away to the tank near the Binny Mills.

5. That the 1st, 2nd, 3rd and 4th applicants had individually applied for the whole land long before the new sum from Civil and Military Station, Bangalore, - thought of engaging in timber trade, and that in all - fairness and justice they or any of them should have - been given it It may be mentioned here that the timber merchants (applicants) have paid to the Municipality a very large sum of money in shape of duty at an annual average rate of Rs.15,000/- for the past many years and as such they are entitled to a better regard and right than that shown to a perfect stranger to the City

6. In the above circumstances it is a matter of the greatest unfairness not to say injustice to allow a stranger to have the land for the mere asking of it and to allow him to compete with the applicants in a very advantageous position, inspite of its repeated - refusal to us

That for the foregoing reasons the petitioners pray that the Government will be most graciously pleased to set aside the order of the Municipal authorities -

granting

granting the said land to Abdul Currim Sait of Civil and Military Station, Bangalore, and to grant it as a whole to the petitioners or any of them individually.

For this act of kindness and justice we shall feel very grateful.

4th March 1920.

2
73/10
Bangalore

Jul 164-8
Sl 2-111

To,

T. Ananda Rao, Esquire, B. A.,

Dewan of Mysore,

BANGALORE.

The humble petition of the following members, the Timber Merchants of the Bangalore City:-

1. M. Subba Rao, 2. V. Krishnaiah, 3. S. Kothandaramiah. 4. D. Venkatramana Chetty, 5. Yusuf & Co., 6. M. Venkata Rao Sindhya, 7. M. Narasinga Rao Sindhya, and 8. C. Munisappa.

The applicants most respectfully beg to submit:

1. That there is a piece of vacant land belonging to the City Municipality opposite to the Mysore -- Infantry Barracks, Cotton Petta Road, Bangalore City. This land was being used about 23 years ago for Timber Depots. But as it was required by the Municipality - for public purposes the Timber Merchants were forced to vacate it. Since then the Depots are being located both in private and other Municipal Lands situated in remote places.

2. That it was subsequently found out that the Municipal land alloted for the timber Depot did not suit the purpose, as it was to a certain extent far away from the active part of the City and could not afford easy -

access

access to the heavily loaded timber carts. Further the owners of the private lands levied such exorbitant rents and imposed such stringent conditions that it was found difficult to adhere to. Therefore the Timber Merchants - applicants, Nos. 1, 2, 3, & 4 - applied repeatedly to the Municipality for the re-allotment of the old Timber yard. The Municipality flatly refused to lease out the land to them which fact will be borne-out by the endorsements issued by the Municipality from time to time. Applicant No.3, who opened the business newly about two months ago also applied for the said land as recent as 1910, - but this application also fared no better share.

3. That such being the case to the surprise of the applicants, they were given to understand that the above said land had been applied for by one Abdul Gurrie Sait of Civil and Military Station, Bangalore, for a timber depot and that the Municipality showed inclination to grant it to him. Hence applicants - Nos. 1, 2, 3, & 5 renewed their applications, but having received no reply, applicants 1, 2, & 3 hurried to the Municipal office on the 24th February 1910, where the Municipal Board was convening a Meeting to-produced for the information of the Board, copies of endorsements issued from the City Municipality during the previous years, referring to lease out the site to them.

4. That inspite of the above facts, it is most surprising to see that the new applicant of the Civil and Military Station, Bangalore, is permitted to collect his timber in the above said land to the utter disappointment of the applicants. The petitioners beg to

submit

submit that this action of the Municipal Authorities is quite unfair inasmuch as they are all residents of the Bangalore City, and have long been engaged in timber trade here and almost entirely depend upon it and the places now used as timber yards are miry and quite unhealthy and spoils much of the timber as huge columns of water run over the place during the rains and more than once certain logs were washed away to the tank near the Binny Mills.

5. That the 1st, 2nd, 3rd and 4th applicants had individually applied for the whole land long before the new name from Civil and Military Station, Bangalore, -- thought of engaging in timber trade, and that in all - fairness and justice they or any of them should have - been given it. It may be mentioned here that the timber merchants (applicants) have paid to the Municipality a very large sum of money in shape of duty at an annual average rate of Rs.15,000/- for the past many years and as such they are entitled to a better regard and right than that shown to a perfect stranger to the City.

6 In the above circumstances it is a matter of the greatest unfairness not to say injustice to allow a stranger to have the land for the mere asking of it and to allow him to compete with the applicants in a very advantageous position, inspite of its repeated - refusal to us.

That for the foregoing reasons the petitioners pray that the Government will be most graciously pleased to set aside the order of the Municipal authorities -

granting the said land to Abdul Curriam Sait of Civil and Military Station, Bangalore, and to grant it as a whole to the petitioners or any of them individually.

For this act of kindness and justice we shall feel very grateful.

4th March 1910.

6218

T.R.S. 26]

Diary No of letter replied to 12/12/10 & 30/12/10

M/ File No 164/09
Serial No 4

No. 7937
ml 164-09-4
9/12 3 10

General and Rev Secretariat
(M/)
, the 190

To

The President Bangalore city
Municipal Council

Date of issue 12-3 10

Signed by M K M

Sir,

I am directed to forward herewith copy of a telegram, addressed by the timber merchants of the Bangalore city to the Dewan and to request the submission of a report in the matter. The petitioners also request that they may kindly be allowed to appear before the Council when the report is considered.

and a petition Rep 6218

with hyphen and brackets copy of the telegram

in also to request & the

SUBJECT

J Hill
for Secretary to Govt
7/12/10

List of enclosures

Copied to

Examined by

IRCPL—20 000-19-12—04

For 209-09

G.R.S. 34]

No. 8150 Jud 164-09-69/17.3.10

GOVERNMENT OF H. H THE MAHARAJA OF MYSORE.

ED & COMPANY
GENERAL
REHOUSEMEN,
TAILORS & OUTFITTERS,

St. Mark's Road,
Bangalore, 14th. March, '10. 190

D. 8351
Jud 164-08
R5

DEPARTMENTS

PIECE GOODS,
MILLINERY,
HABERDASHERY,
HOSIERY,
DRAPERY,
LADIES' AND
GENTS'
OUTFITTING
ILMANSTORES
ONFECTIONERY,
PATENT
MEDICINES,
PERFUMERY,
TOILET
REQUISITES
AND
SMOKERS'
REQUISITES
CROCKERY,
GLASSWARE,
MPS AND LAMP
CCESSORIES,
AMELWARE,
MINIUMWARE,
TINWARE,
IL COOKING
STOVES,
MIT STOVES,
TOYS,
NCY GOODS,
O CARTS,
AIL CARTS,
SH CARTS,
AMBULATORS,
TC., ETC.

ms—Cash
—or—
P. P

l orders
licited

From

Abdul Curreem Hajee Joosub Sait,
Proprietor, Ahmed & Co., The Cash Bazaar,
BANGALORE.

To

T. Ananda Row Esq., B.A.,
The Dewan of Mysore,
BANGALORE.

Respected Sir,

I beg to bring the following few lines to your kind consideration with the full hope of receiving justice from you.

That about a couple of months ago, I purchased about 500 Timber Logs for Rs.22,500/- at the Mysore Government Timber Yard in order to open a Timber Depot at Bangalore City, and applied to the Municipality to rent me a vacant ground in the locality of the other Timber Merchants, which was temporarily sanctioned by the President, and I have written to a number of Forest Officers and am arranging to carry on this business on a very large scale and to open agencies in different parts

That after receiving the sanction, I began to store the logs in the ground allotted to me and in fact I have already started my business there

GRS 34J

No 2/50 and 11

Sus 209-09

That the other Timber Merchants did not like the idea of my starting a business there, as they wished to have all the business for themselves, and so applied for the vacant land including the ground allotted to me, which was lying vacant for a long time; and if they were really in need of it, they would have secured the ground long ago

That I was given to understand that the Municipality are going to plot the vacant ground including the plot al--ready given to me, which I have been occupying since, and to put them up in Auction.

That I beg to point out that the step adopted by the Municipality in this case is highly objectionable for the following reasons -

i. The ground was given to me and I have stocked my timber there, and now to auction it, will be degrading me a great deal in the sight of my other brother-merchants

ii The other Timber Merchants asked me to co-operate with this Association and to carry on my Business in the same way as they do, which is not fully in accordance with the Municipal Rules and Regulations, but as I referred refused to do so and pointed out that it is always safe to strictly adhere to the Government Rules they have be--come my rivals and are sure to bid high, jointly in order to get me out of the business

iii If this land which I am occupying were to be put up in auction and taken by another party, where am I to remove my large stock to(?) which is not very easy and fur-

-ther cannot be carried anywhere in the town.

iv. It is not right on the part of the Municipality to sanction the land and permit me to stock my logs and then to put it up for auction, thus giving every chance to my rivals to get me out of their way.

That I agree to strictly adhere to all the rules and regulations and to pay Rs.500/- as security in advance to-wards Octroi Charges and furnish monthly accounts as per Municipal Rules, which the other merchants have not done up to now, though they were repeatedly asked by the Muni-cipality to do so.

In conclusion, Respected Sir, I request you to kindly pass necessary orders directing the Municipality to leave the plot of one acre as applied for by me, and to auction the remaining portion if they care to do so.

This act of your kindness will not only be doing me justice but will be an encouragement to carry on the busi-ness.

I beg to remain,
Respected Sir,
Your most obedient servant,

(Sd). Abdul Qurreem Hajee Joonub Sait,
Proprietor.

Recrb—8,000—16.8.41

Sur [illegible] Sus 209-09

G R S. 34]

No 8150 ml 164-09-63 17.3.10

GOVERNMENT OF H. H THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

(Mumpl.)

17

Office Memorandum.

To

the 17th March 1910

The Pres^t, Bangalore city Mumpl Council

The accompanying petition (Cadambar Rao Reg. No 6351) received at the Genl & Rev. Sec^t from Abdul Kareem Hajee Joonab Sait, Proprietor, Ahmed & Co., the Cash Baggar, Bangalore, regarding a piece of land in the Bangalore City granted to him by the Mumpty. for opening Timber Depot is forwarded to the Pres^t of the Bangalore City Mumpl Council in cont^n of this office docket No 7937/ml 164-09-1 of 12-3-10, for submission of an early report in the matter. The Pres^t is requested to hold in abeyance the auction sale of the plot of ground referred to in the petition.

The petition should be returned with the report. By Order.

For Offg Secy.

9/16/2/10

MGCPB—6,000—16-9-01

cmt 3/17/3

G.R.S 84]

No. 8869 mlg 64-09-8

GOVERNMENT OF H H THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

(Municipal)

Office Memorandum

To

the 5-4-10 1910.

The accompanying petition Reg No. 67438 17.3.10 received at the Genl & Rev! Secy from S. Kodandaramaiah, Timber Merchant, Chamarajpet Bangalore, praying that a portion of the old Timber Yard in the Bangalore City may be given to him which remains after deducting the portion given to another person on rent free basis on the same conditions and privileges of those on which the other portion has been given to Boreyamma and that copy may not be sent by public conveyance, is forwarded to the Secy of the Bangalore City Municipal Council in continuation of this Office Memoranda noted in the margin for early submission of their report on the matter.

(1) 7937/Mal Mis-09-4 dt 2-3-10
(2) 8150/Mal Mis-09-6 dt 17-3-10

The petition may kindly be returned with the report.

By order
Sd/-
Asst Secy
5/4/10

MGCPD—6,000—14.9.04

6/4

P. 764

1910 Jul 164-5 P9

No 1687

Name of Petitioner— Krishnaiah & others

Village— Bangalore

Taluk— Do

District— Do

Date of Arzi— 16th April

Date of Receipt— 18th Do

Date of Disposal—

No of Enclosure—

ABSTRACT

The petitioners are the Timber merchants of Bangalore City & request the favour to take official notice of the demeanour of the Vice President Mr K. Subba Rao in having hurt their feelings by calling them rogues &c—

P.R.

20/3/10

To First Councillor
with compliments

The President
City Municipal
Council Bangalore
early report

TV
Offg
Secy

No 1687

To,

T. Ananda Rao, Esquire, B. A.,

Dewan of Mysore,

The humble petition of the following Timber Merchants of the Bangalore City:-

1. M. Subba Rao,
2. V. Krishniah,
3. S. Kothandaramiah,
4. Venkataramma Setty,
5. Yassin and Co.,
6. Venkata Rao Sindhi,
7. Narasinga Rao Sindhi,
8. S. Munisappa,

Respectfully showeth:

1. That referring to the telegram despatched to your Excellency on the 2nd March 1910 which read as follows:-

> "Timber merchants Bangalore City in deputation awaiting Your Excellency's return to Bangalore as at the last Municipal Council Meeting the Vice President most unnecessarily and undeservedly wounded their feelings by attributing to them motives of dishonesty and roguery - we pray redress."

the petitioners beg to submit that on hearing that the Municipal authorities who refused on more than one occa-

sion

directly applies to them. The petitioners are doing extensive business in Bangalore by importing large quantities of timber from the distant forests of Coorg, --- Nilgries, Malabar and Shimoga and have invested very large capitals for the purpose. On an average they import not less than three lac cubic feet of timber to Bangalore and on the present day their stock for which accounts have been rendered to the Municipality runs over one lac and thirty thousand cubic feet of timber, as such they command much respectability and social status in the public. Their business has been a source of great income to the Municipality

4. That such being the case the undeserving remarks made by the Vice president before a public body attributing motives of roguery and dishonesty to the petitioners have caused much pain to the applicants and have disheartended them a great deal.

Reposing confidence in the sense of justice in your benign administration the petitioners most earnestly appeal to your greatness to be kind enough to take official notice of the demeanour of the Vice President in having hurt the feelings of the loyal and law-abiding subjects of His Highness the Maharaja of Mysore.

For this act of justice the petitioners shall ever feel highly grateful.

Bangalore -
D/ 16-III-1910

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G.R.S. 34]

No 9652 mu 164-09-10

GOVERNMENT OF H. H THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

(Municipal)

Office Memorandum

To

the 26th April 1910.

(to be kindly returned)

The accompanying petition (Reg. No. 7642) dated 16/3/10 received at the Genl & Rev. Secy from M. Subbarao and others timber merchants of the Bangalore city, requesting that official notice may be taken of the electioneering of Mr. M. Subbarao, Vice President, in having burnt their feelings by calling them "rowdies", is forwarded to the President of the Bangalore City Municipal Council for submission of a report at an early date.

By Order,

[signature]

for Offg Secretary.

23/4/10

printed by
B. Krishnamurthy
25-4-10

MGCPH—6,000—26-8-09

B M 108]

OFFICE OF THE MUNICIPAL ~~COMMISSION~~ Council

City, Bangalore, 2nd *May* 1910

No 248

Encs nine } 3 petitions
2 memoranda
Arbitration & Rules }

ml 164-09
8(1)11 & 805/

FROM

THE PRESIDENT,
Municipal ~~Commission~~, Council
Bangalore City

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments, Bangalore

SIR,

Reference -Your letter No 7937/Ml 164-09 dated the 12th March 1910 and Office Memo No 8150/Ml 164-09 dated the 17th Idem forwarding, for report, copy of a Telegram and a petition addressed by the timber merchants of the Bangalore City to the Dewan and a petition received at the General and Revenue Secretariat from Abdul Kareem Haji Josub Sait, Proprietor, Ahmed and Co the Cash Bazaar, Bangalore, petition from M Subba Rao & others received with Memo No 9652 Ml 164-09-10 dated the 26th April 1910

I have the honour to submit the following report

2 The levy of Octroi duty on timber and other articles was sanctioned by Government in their Proceedings No 4251 L.F. 194-94 dated the 27th September 1899 and introduced into the City of Bangalore from 1st January 1900

Why the timber Depot was opened

The Bye-Laws to regulate the recovery of the said duty were framed and duly promulgated

According to Bye-Law No 7, duty should be recovered on every consignment of dutiable article

before it is removed by the owner into the City, unless it is exported then and there, or, kept under bond at the Koti for subsequent exportation. This rule was not enforced in the case of timber. The timber merchants would appear to have represented in a body to Mr. Puttanna Chetty, the then President, that duty on timber should not be levied as soon as the consignment was received from outside, as such a system caused them delay and inconvenience, but might be recovered on the quantity actually sold, that a convenient locality should be set apart to stack timber, and that they would undertake to pay the cost of the establishment that might be employed by the Municipality to exercise effective check over their transactions.

This request was granted on the authority vested in the President under Section 20 of the Bye-Laws, and the present timber yard to the south of the Kengeri Gate Police Station, which contains both Municipal and private lands, was allotted for the purpose of storing timber.

The merchants did not keep up to their agreement. In fact, they evaded the question and gradually shirked their liability. The proposal to maintain the establishment, therefore, fell through, but all the same, the merchants continued to enjoy the concession of paying the duty on sales.

3. The allegation contained in para 2 of the petition that the present yard is unsuited for the purpose on the score of its distance has no foundation - in fact, the old timber yard being quite opposite to the present depot and separated only by the Arlepet Road. The complaint that there is no free access to the heavy loaded timber carts is equally unsupported, as the yard is surrounded on all sides by roads and the several blocks now in possession of the merchants are conveniently situated. The representation

Allegations made in the petition.

representation that the owners of private lands levy exorbitant rents Etc , requires no explanation, as there were yet some vacant sites available to be let out by the Municipality when they were allotted, and it was the merchants themselves who selected private lands for reasons of their own

4 In regard to the applications alleged to have been repeatedly made and not granted for the old yard, it might be stated that the petitioner No 3 Kodanda Ramaiah started business only two months ago after securing two blocks in the present yard He put in an application for a block in the old yard on the 1st of February 1910, the date on which Mr Abdul Kareem Sait applied for the same There is nothing on record to shew that No 4 Venkataramana Chetty applied for the old yard It was only No 1 Subba Rao that applied for the first time in the year 1906 and repeated his applications Mr Krishnaswami Rau, the then Vice President, disposed of his applications by giving him Endorsements that there was sufficient space in the present timber yard and that he might select any block he liked

No 2 Vajipaiya Krishniah put in an application on the 20th July 1909 He was given an endorsement by the Vice President on the 1st October of the same year on the report of the Collector Krishna Rau, that the land could not be given as it was intended for traffic This was a mistake Krishniah has appealed against this order to me and his application is pending

It may be mentioned here that this merchant is already in possession of a block just opposite to the old yard

5 With reference to Para 3 of the petition, I beg to state that excepting the petitioner No 5 Yassim & Co who applied for the first time in February last for the old timber yard, there were no applications from the other petitioners referred to. None of them seem to have appeared before the Board on the 24th February 1910 as alleged by them.

Mr B K Garuda Char, who is reported to have taken up the question informally in the Council Meeting, is said to have referred to an Endorsement issued by Mr. Krishnaswami Rau

6 Paras 4 to 6 - These explain clearly the feeling of jealousy which seems to have excited the petitioners to come up with this complaint The average revenue realized under "Timber" amounts to ₹6,600/- and not ₹15,000/- as stated in the petition

7. Another potent factor which appears to have upset the merchants is the readiness of the new comer Mr Abdul Kareem Sait to comply with the rules and regulation in the matter of furnishing security and accounts The unit of Octroi taxation is cubic foot Our merchants have been persisently evading to give accounts in cubic feet, and would wish the Municipality to remain satisfied with the accounts in the form they have chosen to adopt, i e in--stead of accounting for the logs in cubic feet, they would only give their number when the timber is imported, the quantity in cubic feet required for the purpose of taxation being given from time to time according to their convenience as the logs are sold

8 Mr Abdul Kareem Sait has not been granted any land permanently or for any fixed period As he represented very hard that he had to pay heavy demurrage for want of place to cart his timber to, I gave him permission to occupy 1/4 of the old timber yard temporarily, pending the disposal of his application

9 With regard to the application of Mr Abdul Kareem Sait requesting permission to be put in possession of the old timber yard without sale, I have the honour to state that when the City Improvement Committee inspected the old timber yard on 12th March 1910 in connection with the question which had already been referred to them Viz , as to whether the said yard could be converted into any and what useful

purpose, it was decided by the said Committee that the plot might be used for the present as a timber yard and that it should be divided into six blocks and leased out by public auction every year The passing of orders on the said applications has, however, been held in abeyance as per Order of Government contained in Memo No 8150/M1 164-09 dated the 17th March 1910

10 As regards the telegram, a Memo drawn up by the Vice President is enclosed.

11 The petitions of the timber merchants and Mr Abdul Kareem Sait are herewith returned

I have the honour to be

Sir,

Your most obedient servant,

President,

Municipal Council, Bangalore City

M E M O R A N D U M

Reference -General and Revenue Secretary's letter No 7937/Ml.164-09 dated the 12th March last and Memo No 9652/Ml 164-09-10 dated the 26th April 1910, forwarding, for report, copy of telegram and a petition addressed by the timber merchants of the Bangalore City to the Dewan

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I may begin by denying having imputed any motives of dishonesty or roguery to the timber merchants as alleged in the telegram

2 There was a Municipal Council Meeting on the 24th February last I had to take the Chair owing to the absence of the President on Jamabandy work After the meeting was closed, there was an informal discussion about the timber question In the course of the discussion, I felt called on to explain the present defective mode of levying Octroi duty and how it gave room for fraud and loss of revenue to the Municipality Beyond this, there was neither the occasion nor the necessity to use any defamatory language in respect of the timber merchants either individually or as a body None of the timber merchants were present at the meeting in deputation The allegation that they were refused admittance is false Mr Vajipaiya Krishnaiah was, I believe, the only one that stood in the veranda outside the Council Chamber and he is ignorant of English A note of what transpired at the time as far as I could remember, is herewith submitted for information

3 Mr Garuda Char took a prominent part in the informal discussion. In denouncing the action of the Municipal Executive, he averred that there would be a riot if Mr Abdul Kareem Sait was given permission to open a timber depot in the old timber yard What reasons this Municipal Councillor had in support of his statement were not given out Probably the riot theory

was

was placed on the marginally noted incident

Mr Vajipaiya Krishniah referred to was reported to have attempted to meddle with Mr Abdul Kareem Sait by introducing a few of his logs into the portion of the old timber yard-of which the latter had taken possession and to have receded when Police aid was called in

4 On the 26th February, an exaggerated account of the Meeting appeared in the MYSORE Times Mr. Garuda Char followed this publication by addressing a second letter to the President on the 28th February, proposing the calling of a Special Meeting No action was taken thereon as such a Meeting could only be called upon the written request of not less than one-third of the Municipal Councillors

5 My impression is that the new merchant Mr Abdul Kareem Sait's readiness to conform to the rules and regulations seems to have driven the old timber merchants to an awkward and rather a very uncomfortable position

6 The timber merchants have since served me with a notice through their Advocate Mr Saldhana that they would take action-civil and criminal-against me in case I did not deny having made the alleged defamatory statements or offer an unqualified apology I have given no reply as the form of the notice seemed to me to be undignified A copy of the notice is herewith submitted for information

2 3 0

Vice President

Informal proposition discussed in the Municipal Council Meeting held on the 24th February 1910 about the use of the Old Timber Depot.

Present

Messrs N. Subba Rao, Vice President (In the Chair)

A K Pani

D B Ramachandra Moodr

H Ramaiya

Beli Sreenivasa Rao

C Krishnamurti

B K Garuda Char

B Ramachandrappa

B Hanumappa

- - - - - - - - - - - - - -

On the 21st February, Mr Garuda Char sent a letter to the President, enquiring "To whom the old timber yard was to be given and protesting against the grant of the same on the ground that it was reserved for SOME public purpose"

On the 24th Idem, after the Council Meeting was over, Garuda Char proposed to take up the timber depot question Some of the Councillors objected on the ground that it was not on the Agenda and that it was already late But after a few minutes' discussion, Mr Garuda Char was permitted to open the subject Messrs Ramaiya and C Krishnamurti took part in the discussion

Mr Garuda Char referred to his letter (Copy enclosed) and said that a stranger had carted some logs into the old timber yard without the knowledge and sanction of the Council, that it would lead to a riot, that the old timber merchants' applications for the same land were not granted and that he could not understand how a perfect stranger was given preference

Mr Garuda Char went outside the Council Chamber and brought what he called an Endorsement and read it

I told Mr Garuda Char that his letter had been sent to the President for orders, that the Sait who appeared to have seen the President in Camp informed me that he had been permitted orally to store the timber in the old timber yard on condition of his binding himself to conform to the rules and conditions in all respects and that written orders would be passed in due course I added that the President had every power to grant leases of land for one year and less, that in my opinion a man who has readily willing to adhere to the rules was preferable to those who have been on some excuse or other persistently refusing to furnish accounts in the form prescribed, for the last ten years and that the Cantonment Sait had also purchased MYSORE timber

Mr C Krishnamurti intervened ard remarked that if the President entered into contracts on his own responsibility, it might lead to complications Etc

I then turned to Mr Ramaiya and told him that the President had all along been exercising the functions of the Municipal Council without any restriction and that the present timber merchants had no grounds to depart from the rules,(Mr Garuda Char intervened and said "such men might be ejected") and that the present system of accounts gave room for fraud & loss of revenue to Government

x x x

2nd May 1910 Vice President

Letter dated the 21st February 1910 from Mr B K Garuda Char, to N Subba Rao Esq, Vice President, City Municipality, Bangalore

My Dear Sir,

I come to understand that a piece of land near New Tharagupet, once used as "Timber Depot" and which was acquired at a heavy cost is to be let out again for timber Depot If that is the case, may I know to whom it is to be given I think that land is reserved for some public purpose, which is beneficial to the rate-payers Under these circumstances, I protest on the land being given to any As there is not sufficient time to bring this protest before the Board in this month, I shall feel highly obliged by your delaying in the issue of the order till the 24th Instant, when I mean to represent the same to the Board in person

Hoping to be excused for the trouble

Yours sincerely,

Sd B K Garuda Char

COPY

President

New Market Road,

Bangalore, 31st March 1910.

From

J. P. Saldhana Esq., B. A., LL.B.,
Advocate.

To

N. Subba Rao Esq,
Vice President, City Municipal Council,
Bangalore.

Sir,

It is represented to me by Messrs' Subba Rao, 2, V. Krishnaiah, 3. S. Kothandaramiah, 4 Venkatarama Setty, 5. Md. Abbas Khan, 6 Venkata Rao Sindhi, 7. Narasinga Rao Sindhi, 8 S. Muniappa, the timber merchants of the Bangalore City, that you have grossly defamed them by ~~them~~ falsely attributing to them in public, acts of dishonesty concerning their relations with the City Municipality. The matter of which they complain with good reason appears in the accompanying draft petition of complaint regarding which they have had advice from (Madras)-(Counsel). I am instructed however to give you an opportunity of either denying that you made the statements ascribed to you in para 5 of the draft petition or of tendering them, through me as ~~their~~ their Advocate, an unqualified written apology withdrawing as uncalled for and untrue the grossly offensive public remarks that my clients complain of

Should I not hear favourably from you within three(3) days from the date of receipt hereof, legal proceedings-both Criminal & Civil,-the latter for damages, will be instituted against you without further or other reference.

I am, Sir,
Yours Faithfully,
Sd. J. P. Saldhana,
LL.
Advocate.

COPY

Rukhaiah
2.50

C[illegible] OF CITY MAGISTRATE, BANGALORE.

Criminal Case No. of 1909-10.

COMPLAINANTS.

1. G. Subba Rao, Timber Merchant & Land-owner, residing in Chamarajpet, Bangalore City.
2. V. Krishniah do do residing in Arlepet, Bangalore City
3. G. Kothandramaiah do do residing in Chamarajpet do
4. Venkatarama Setty do do residing in Arlepet do
5. Mohammad Abbas Khan, Hony. Second Class Magistrate and Proprietor of the Firm of Yassin & Co Timber Merchants residing in Arcot Srinivasa Chary St, Bangalore City.
6. Venkata Rao Sindi, Timber Merchant & land-owner, residing in Manavarthepet, Bangalore City.
7. Narasinga Rao Sindhi do do do
8. G. Puttappa, do do residing in Ranasingpet do

Vs

Nadiga Subba Rao
Vice President of the Bangalore City Municipality, residing in Basavanagudi, Bangalore City.

ACCUSED.

We, the above-named complainants, state as follows -

1. That we are wholesale Timber Merchants carrying on business as such merchants for some time to a large extent within the limits of the City of Bangalore. We import timber in bulk from the Forests of Coorg, the Nilgiris, Malabar, Shimoga & Salem, and, in accordance with the Bangalore City Municipal Regulations, have been submitting to the said City Municipal Office, regular monthly accounts of our respective stocks & sales of timber. The said Municipal Corporation exercise their own independent check as regards the stock in hand, the receipts of timber and the sales effected. The average amount annually paid by us as duty is Rs15000 or thereabouts.

We are the only timber merchants carrying on business as such in the City of Bangalore. As such timber merchants, we have large and independent means and good social position, we have each and all commanded the utmost respect and confidence of the general public.

2. That the accused has been for about 2 years and still is the Vice President of the Bangalore City Municipality.

3. That a certain vacant site in front of the Mysore Infantry Barracks, near New Thavarekere, Bangalore City, had from time immemorial been used as a wood-yard by local timber merchants. This site, some years ago, was acquired by the said City Municipal Corporation for public purposes, but this intention was never carried out. The timber merchants, who, at the time of the acquisition, were compelled to vacate the said site for less convenient plots of land including their successors, the complainants, from time to time applied to the said Corporation for a lease to them of the said site for the purposes of their business, but every application, up to so late as February 1910, was fruit-less.

4. That on or about the 15th February 1910, we received information to the effect that one Abdul Karim Sait of the Cash Bazaar, Civil & Military Station, Bangalore, who was about to start a new business in timber like ourselves, had secured from the said Corporation a lease of the very site that had been d repeatedly refused to us who had superior claims as long-established local merchants. We felt that as heavy investors of capital, our several interests were likely to be seriously prejudiced by undue preference having been given to a rank out-sider. Feeling considerably aggrieved over the matter, we endeavoured to secure a hearing at the said Corporation's Council meeting on the 24th February 1910 and we arranged that some of our number should wait upon the Corporation at their next monthly (February) meeting and explain the situation in view to possible and timely rectification of what was to us manifest injustice-the site in question being most advantageously situated.

5. That accordingly a deputation of the timber merchants consisting of Messrs. 1. Subba Rao, 2. V. Krishniah & 3. [illegible] Chandrumiah(that is to say the first three complainants in this action) all highly connected and respected citizens-or deputed to wait upon the said Municipal Office[illegible]

meeting day-the 24th February 1910. But this deputation was rudely directed to wait outside until the meeting of the Municipal Councillors concluded. After the meeting was over, the Municipal Councillor of the Division concerned (i. e. Mr. B.L. Garuda Char) asked the deputation to produce the adverse endorsements the timber merchants had previously received in reference to the lease to them of the site under reference. These endorsements were handed over to the said Municipal Councillor at the door of the office. Mr. Garuda Char then read to the accused the adverse endorsements that had been sent to us. Though the meeting had concluded, several Municipal Commissioners were still present in the office room in addition to one or two out-siders, and the accused was questioned as to his right to lease the site under reference to Abdul Karim Sait of the Cantonment without the previous knowledge and sanction of the Municipal Council. Several Councillors observed that the undue preference shown to the Sait amounted to gross unfairness to the local Timber merchants. Thereupon the accused was heard to say as follows or to the same effect -

> "All the Local Timber Merchants are a set of rogues, they have duped the Municipality to the extent of thousands of rupees, the present man who has come will smash all these people".

Something like a comotion thereupon arose among those present inside. Several of the Councillors vehemently denounced the statement as untrue, they expressed their disagreement with and disapproval of the same But the accused repeated in the Kanarese language the words "Yallaru Kallarce" meaning that the timber merchants(Complainants) were "all rogues".

6. The deputation of timber merchants thereupon withdrew feeling themselves considerably insulted, humiliated and disgraced.

7 Among those present in the Municipal Office room where the accused defamed the complainants as above set forth was a public journalist, viz.,

utance of the accused's defamatory words found its

way into a local public print known as "The Mysore Times" which has a large circulation-both in and out of the City of Bangalore.

9. Each and all of us have in consequence of the accused's public remarks suffered much annoyance and have been disgraced in reputation and injured in our business. We have also suffered in our credit and good name and have incurred odium, redicule and contempt.

10. We therefore submit that the accused has committed an offence falling within the provision of Section 499, Indian Penal Code, and we pray that the accused may be dealt with according to law.

11. The delay that has caused in the submission of this petition is due to the fact that we, the complainants, had hoped for another form of redress from the accused's superiors in office to whom telegraphic, written and even personal representations were made, but which up to the present have resulted in nothing material.

Dated, Bangalore
1910.

COPY

Nubbalen

2.50

To

M. Subba Rao Esquire.,

Vice President, City Municipality,

Bangalore.

Sir,

The site near the New Tharagupet, which was formerly a "Wood Yard" was sometime back acquired by the Municipality for public purposes, viz., extension of Railway to the New Tharagupet. Subsequently there were several applications from the local timber merchants for permission to use it as "Wood Yard" on payment of such reasonable rent as mught be fixed by the President. But permission was refused to them as the site had been acquired for a public purpose and also on Sanitary grounds.

It having come to our knowledge that the site was about to be given to a Sait, I wrote to the Vice President on the 21st Instant, requesting him that the matter might be held in abeyance pending the Council decision, but as I saw some logs on the ground referred to, the next day I moved with the permission of the Council which met on the 24th Instant, a proposition objecting to the grant of the site. The Council was unanimously of opinion that the site ought not to be granted. The Collector was immediately sent for and ordered by the Vice President in the presence of all the members not to permit the logs to the site.

I now learn that notwithstanding the above direction orders were issued about the 25th Instant granting about ¼(one-fourths) of an acre to the said Sait to have his "Wood Yard"

In one of the previous meetings of the Council, a resolution was passed allotting the site for a stone cart Stand as it was found out that a heavy loss had been incurred by the Municipality under this head owing to the neglect of some of the subordinates in not selecting a

[S. 28]

File No 164 - 09
Serial No. 12

Diary No of letter replied to 8051

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT
(Mis.)

Read— Telegram dated the 2nd March 1910 from the Merchants of the Bangalore Club complaining that the Petition meeting of the Municipal Council the Vice-President unnecessarily and undeservedly wounded their feelings by attributing to them motives of dishonesty and roguery.

2) Petitions Regd. Nos. 6208 & 6218 dated the 4th March 1910 from Messrs. M. Subba Rao,

over

Subject

GPH—10,000—3-12-09

1/3/1910

V. Krishnaraja and other timber merchants of the Bangalore City, protesting against the grant of certain municipal land adjoining to the Keystone Outstanding Barracks on the Airfield road in the City to one Abdul Kareem Haji Jaan Said of the Cantonment of Bangalore for stacking timber, on the ground that the same land had been denied to them for public grounds and that its grant to a stranger was unfair as it would place him in a very advantageous position and enable him to compete with them.

I also, therefore, Reject No. 6357 dated the 4th March 1940 from one Abdul Kareem Haji Jaan Said praying

that

G.R.S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet draft form.)

that for reasons therein given he may not be dispossessed of the land granted to him by Letter No. 248 dated the 2nd May 1910 from the President, Bangalore City Municipal Council, submitting a detailed report of the facts of the Case.

Order thereon. 2602 mil 164-09

14-9-10

The petition of the City timber merchants seems to be chiefly due to a desire on their part to exclude a rival in their trade, but so far as the Municipality is concerned, it should afford facilities to all people who wish to enter the timber trade by giving sites for timber depots on reasonable rent. The President was entirely within his powers in granting Mr. Abdul Kareem Sait a temporary lease of the site for a fixed and definite

one

one year or ~~[illegible]~~ amendment
see no reason for interference
in the matter. Government
would suggest that Executive
Council either ~~[illegible]~~ establish
able rates for timber dep[illegible]
may be leased from time
to time for reasonable
rents instead of being
sold by auction, as it is
not likely that in normal
circumstances there will
be a demand for all the
sites or a keen competition
for them.

2. From the Provincial
report the present system
of levying dues on timber
appears to be somewhat
defective and to give room
for evasion from payment
of the duty. Greater scrutiny
and check appear to be
necessary in regard to
the quantities of timber
manufactured and sold. For
one thing it should be
borne in mind that the
timber stores with-
liability
to pay dues thereon only
when logs are sold is
timber kept under bond
[illegible]

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation Sheet Draft form.)

such as other duty payable articles are kept in bond in Government Godowns. In order to enforce this liability one essential condition is that the place where the timber is stored should be entirely under the control of the Municipal Council. The land should therefore be municipal property owned or held by the Municipal Council. It is as objectionable to allow timber to be stored on private property as it would be to allow duty payable articles to be stored in bond in private shops or houses. A reasonable rent may be levied as so much per square yard per month in blocks classified according to their convenience and accessibility from the public road.

3 So far as the alleged defamatory remarks made by the Vice President are concerned, Mr. Subba Rao

the denies having made such remarks or having had any intention to libel the Dame Concerned and Government have no reason to doubt his statement

CSB/vvv

Secy

Dear Sir,

The President, Bangalore City Municipal Council.

1603 mlc ab. B 14.9.10.

Endorsement Serial 13

Endorsement granted to Messrs. M Subba Rao, V Krishnaiah and other timber merchants of the Bangalore City in reply to their telegram dated the 2nd March 1910 complaining that at the previous meeting of the City Municipal Council the Vice-President unnecessarily and undeservedly wounded their feelings by attributing to them certain motives of dishonesty and roguery, and their petitions Regd Nos. 6208 and 6218 of the 1st Idem praying against the grant of a part of the Municipal land opposite the Mysore Infantry Barracks on the Sankey Road in the City

to

to Dr. Abdul Kareem Haji Yoosuf
Said of the Coy. Station of
Bangalore for stocking timber

Petitioners are informed
that the Municipality is expected to
afford facilities to all persons
who wish to enter the timber
trade by giving sites for timber
depot on reasonable rent, and
that the Municipal President was
acting within his powers in
granting Dr. Abdul Kareem Said
a temporary lease of the site
referred to by them and Govt.
see no reason to interfere in
the matter.

2) As regards the alleged
defamatory remarks made by
the Vice-President, Dr. N. Subbarao
denies having made such remarks

or

(3)

on having had any intention to libel the merchandise concerned and Govt. have no reason to doubt the statement

"By order"

[illegible]

[illegible]

[illegible]

31/[illegible]